

RECEIVED
CENTRAL FAX CENTER

FEB 27 2006
Nixon & Vanderhye PC
ATTORNEYS AT LAW

901 NORTH GLEBE ROAD
11TH FLOOR
ARLINGTON, VIRGINIA 22203-1808

TELEPHONE: (703) 816-4000
FACSIMILE: (703) 816-4100
WRITER'S DIRECT DIAL NUMBER:
(703) 816-4057

FACSIMILE COVER SHEET

PLEASE DELIVER IMMEDIATELY!!!!

Our Ref.: 4380-107
Your Ref.: 09/604,082 Date: February 27, 2006

To: Commissioner for Patents c/o Examiner AFREMOVA
Firm: United States Patent & Trademark Office
Facsimile No.: 571-273-8300
From: Willem F. Gadiano

Number of Pages (including cover sheet): 18
(IF YOU DO NOT RECEIVE ALL OF THE PAGES OR ENCOUNTER DIFFICULTIES IN TRANSMISSION,
PLEASE CONTACT US IMMEDIATELY AT (703-816-4000).)

ewm/WFG
FACSIMILE OPERATOR

ATTACHMENT/S:

1. **Request for Acknowledgement of Consideration of Disclosed Information;**
2. **Copy of Information Disclosure Statement filed June 19, 2003;**
3. **Revised PTO-Form 1449;**
4. **Copy of Cited Non-Patent Literature/Document (Maffia-ABSTRACT);**
5. **Copy of International Search Report from counterpart International Patent Application;**

CONFIDENTIALITY NOTE

The documents accompanying this facsimile transmission contain information belonging to Nixon & Vanderhye, which is confidential and/or legally privileged. This information is only intended for the use of the individual or entity named above. **IF YOU ARE NOT THE NAMED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR TAKING OF THIS INFORMATION FOR ANY USE WHATSOEVER IS STRICTLY PROHIBITED.** If you have received this facsimile in error, please immediately contact us by telephone to arrange for return of the original documents to us.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document (including any paper referred to as being attached or enclosed) is being sent to the U.S. Patent and Trademark Office via facsimile transmission to (571) 273-8300 on the date indicated below, with a coversheet addressed to Commissioner for Patents, U.S. Patent and Trademark Office.

Date:

By:

William F. Gadiano, Reg. No. 37,136

RECEIVED
CENTRAL FAX CENTER

FEB 27 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BESSETTE et al.

Atty. Ref.: 4380-107
Confirmation No.: 4329

Serial No. 09/604,082

Group: 1651

Filed: June 27, 2000

Examiner: Afremova, Vera

For: PESTICIDAL COMPOSITIONS CONTAINING ROSEMARY
OIL

* * * * *

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**REQUEST FOR ACKNOWLEDGEMENT
OF CONSIDERATION OF DISCLOSED INFORMATION**

Sir:

An Information Disclosure Statement with Form PTO-1449 was filed in the above-captioned patent application on June 19, 2003 (copy with postcard receipt attached herewith). Applicants have not yet received an initialed copy of the Form PTO-1449 acknowledging that the Examiner has considered all of the cited disclosed information. It is therefore respectfully requested that the Examiner initial and return a copy of the above-identified Form PTO-1449 to the undersigned representative.

Additionally, it has come to the attention of the undersigned representative that the above-identified PTO-Form 1449 contains an inadvertent error in the citation for a listed and previously submitted non-patent literature ("NPL") document (copy attached). The citation was obtained from an International Search Report (copy attached) in a counterpart International Patent Application. In particular, the following NPL citation:

Best Available Copy

1014278

BESSETTE et al.
Serial No. 09/604,082

Atty. Docket No. 4380-107

"Singh, K. et al., COMPOSITION FLEA CONTROL CARPET
COMPRISE BORIC ACID POWDER CONTAIN ADSORB
MONO TERPENE SYNERGISTIC, Abstract, Database WPI,
Section Ch, Week 199412, Derwent Publications Ltd., January 7,
1994."

should have been listed as:

"Maffia, A. J., ABSTRACT, Database WPI, Section Ch, Week
199412, Derwent Publications Ltd., London, GB, Class C03, AN
1994-092916, XP002133730, CA2099929, January 7, 1994."

As such, to prevent the incorrect citation from being listed on any resulting Letters Patent for the
above-captioned patent application, Applicant respectfully requests that the above-identified
previously submitted PTO-Form 1449 be corrected/updated. Alternatively, for the convenience
of the Patent Office, a revised PTO-Form 1449 containing the correct citation is attached and the
Examiner is requested to acknowledge consideration of the corrected citation thereon. Applicant
respectfully requests that the Examiner contact the undersigned representative at the telephone
number listed below if there are any questions or if any further information is needed.

Respectfully submitted,

NIXON & VANDERHYE P.C.

Date: February 27, 2006

By: [Signature]

William F. Gadiano
Reg. No. 37,136

WFG:ewm
901 North Glebe Road, 11th Floor
Arlington, VA 2220-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document (including any paper referred to as being attached or enclosed) is being sent to the
U.S. Patent and Trademark Office via facsimile transmission to (571) 273-8300 on the date indicated below, with a
coversheet addressed to Commissioner for Patents, U.S. Patent and Trademark Office.

Date: February 27, 2006

By: [Signature]

William F. Gadiano, Reg. No. 37,136

Best Available Copy

1014278

COPY**PATENT**

Attorney Docket No.: 045112-0089

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor Application of

Steven M. Bessette, et al.

Serial No.: 09/604,082

Filed: June 27, 2000

For: PESTICIDAL COMPOSITIONS
CONTAINING ROSEMARY OIL

Group Art Unit: 1651

Examiner: V. Afremova

RECEIVED

JUN 23 2003

TECH CENTER 1600/2900

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**Mail Stop Information Disclosure Statement**

Honorable Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is directed to the cited reference(s) listed on the attached PTO-1449. No representation is made or intended that more relevant information does not exist or that the order of presentation of the information in any way reflects their relative pertinence. Applicant(s) respectfully request(s) that the cited information be expressly considered during the prosecution of this application and that the cited reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. If required, a copy of each reference is attached.

☐ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. Thus, no certification or fee is required.

☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counter-part foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).

WDC99 773302-1.045112.0089

COPY

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

☐ c. Please charge the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 50-0417 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

☒ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) petition(s) that the Information Disclosure Statement be considered. Please charge Deposit Account No. 50-0417 in the amount of \$180.00 for payment of the petition fee. Please credit or debit Deposit Account No. 50-0417 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

☒ 4. The Examiner's attention is directed to co-pending U.S. Patent Application No. 10/014,797, filed December 14, 2001, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

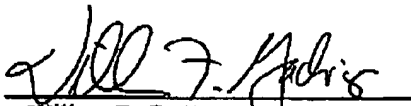
☒ 5. Some of the reference(s) was/were cited in foreign applications of the assignee. For the Examiner's information, attached is an English language version of the foreign search report. It is believed that the foreign search report explains the relevance of any non-English language reference(s) cited on the attached PTO-1449.

Please grant any extension of time deemed necessary for entry of this communication.
Please charge any deficient fees, or credit any overpayment of fees associated with this
communication to Deposit Account No. 50-0417.

COPY

Respectfully submitted,

Date: June 19, 2003

By: 
Willem F. Gadiano
Registration No. 37,136

MCDERMOTT, WILL & EMERY
600 13th Street, N.W.
Washington, D.C. 20005-3096
Telephone: (202) 756-8000

JUN 19 2003

COPY

SHEET 2 OF 3

**INFORMATION DISCLOSURE
CITATION IN AN
APPLICATION**ATTY. DOCKET NO.
45112-089SERIAL NO.
09/604,082**RECEIVED**

JUN 23 2003

APPLICANT
Steven M. BESSETTE, et al.FILING DATE
June 27, 2000GROUP
1651

TECH CENTER 1600/2400

(PTO-1449)

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code(s) of Interest	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US 5,013,769	05/0791	Murray et al.	
		US 5,227,163	07/93	Eini et al.	
		US 5,248,919	09/21/93	King	
		US 5,248,503	09/93	Emmanuel-King	
		US 5,288,483	02/94	Cardin et al.	
		US 5,439,690	08/08/95	Knight	
		US 5,693,344	12/02/97	Knight et al.	
		US 5,783,202	07/98	Tomlinson et al.	
		US 5,858,383	01/99	Precopio	
		US 5,888,984	03/99	Brown	
		US 6,004,569	12/21/99	Besette et al.	
		US 6,114,384	09/05/00	Besette et al.	
		US 6,183,787B1	02/08/01	Besette et al.	

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Code - Number - Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation	
						Yes	No
		EP 0 495 684 A1	07/22/92				
		EP 0 557 174 A1	08/25/93				
		EP 0 635 208 A1	01/25/95				
		EP 0 894 435 A1	02/03/99				
		EP 1 048 293 A1	11/02/00				

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
		Pfeffermuinzol, 1996 DEUTSCHES ARZNEIBUCH XP002150748
		Singh, K. et al., "Composition Flea Control Carpet Comprise Boric Acid Powder Contain Adsorb Mono Terpene Synergistic", Abstract, Database WPI, Section Ch, Week 199412, Derwent Publications Ltd., January 7, 1994.
		Singh, K. et al., "Synergism of MKG-264 and Piperonyl Butoxide on the Toxicity of Plant Derived", Database, CHEMABS 'Online', Chemical Abstracts Service, Columbus, OH, Vol. 38, No. 15, pp. 3055-3060, 1998.
		Varlak et al. "Comparative Repellent Properties of Certain Chemicals Against Mosquitoes, House Flies and Cockroaches Using Modified Techniques", Com. Dis., 28 (3): 156-160, 1994.

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

WDC99 773347-1.045112.0089

JUN 19 2003

COPY

SHEET 1 OF 3

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(PTO-1449)

ATTY. DOCKET NO.
45112-089SERIAL NO.
09/604,082**RECEIVED**APPLICANT
Steven M. BESSETTE, et al.

JUN 23 2003

FILING DATE
June 27, 2000GROUP
1651

TECH CENTER 1600/2900

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Codez (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US US 2,423,284	07/01/47	Babbini	
		US US 2,945,782	07/60	Schraufstatter et al.	
		US US 3,445,565	05/69	Locher et al.	
		US US 4,053,595	10/11/77	Zeck et al.	
		US US 4,195,080	03/25/80	Herrera et al.	
		US US 4,308,279	12/29/81	Smeltz	
		US US 4,368,207	01/83	Lover et al.	
		US US 4,376,784	03/15/83	Harney et al.	
		US US 4,379,168	04/83	Dotolo	
		US US 4,818,534	04/04/89	Levy	
		US US 4,948,013	08/14/90	Thomas et al.	
		US US 4,983,390	01/08/91	Levy	
		US US 4,985,251	01/15/91	Levy	
		US US 4,999,187	03/91	Vemon	

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes - Number - Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation
		DE 19631594 A	02/12/98			Yes No
		DE 3526911A	03/13/86			
		DE 3717467 A	12/01/88			
		DE 3733640 A	04/13/89			
		EP 462 347	12/27/91			
		EP 0 262 885 A2	04/06/88			

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
		Casida, John E. "Pyrethrum" pp. 26-27, 30-31, 88-91, 196-199, 276, 202-3, 267, Academic Press 1973
		Chemical Abstracts 119(5): 43357q (1993)
		Kohn et al. "Mechanism of Pesticide Action", 1974, American Chemical Society, p. 39
		Pesticide and Toxic Chemical News, PROMPT Full Text Article, pp. 1-3

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

WDC99 773322-1.045112.0089

JUN 19 2003

COPY

SHEET 3 OF 3

**INFORMATION DISCLOSURE
CITATION IN AN
APPLICATION**ATTY. DOCKET NO.
45112-089SERIAL NO.
09/604,082**RECEIVED**

JUN 23 2003

APPLICANT
Steven M. BESSETTE, et al.FILING DATE
June 27, 2000GROUP
1651

TECH CENTER 1600/2900

(PTO-1449)

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code(s) (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US			

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Code-Number + -Kind Code(s) (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation	
						Yes	No
		EP 2 267 643 A	12/15/93				
		FR 2 553 664 A	04/26/85				
		FR 2 759 546 A	08/21/98				
		GB 1 604 859 A	12/16/81				
		GB 1 593 601 A	07/22/81				
		JP 11060421	03/02/99	(Abstract)			
		JP 1-130415	05/23/88				
		JP 40 6107505A	04/1984				
		JP 53 034919	04/04/95				
		JP 55 104202	08/09/80				
		WO 91/05561	05/02/91				
		WO 98/20594	07/11/96				
		WO 97/07677	03/06/97				
		WO 98/04128	02/05/98				
		WO 98/54971	12/10/98				
		WO 98/49901	11/12/98				
		WO 98/27812	07/02/98				
		WO 99/37148	07/29/99				
		WO 00/00213	01/06/00				
		WO 00/05964	02/10/00				
		WO 01/13726 A1	03/01/01				

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER'S INITIALS	CITE NO.	Include names of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

WDC99 773468-1.045112.0089

Sheet 1 of 1

<p align="center">INFORMATION DISCLOSURE CITATION</p> <p align="center">(Use several sheets if necessary)</p>	<p>Atty. Docket No.</p> <p>4380-107</p>	<p>Serial No.</p> <p>09/604,082</p>	
	<p>Applicant</p> <p>BESSETTE et al.</p>		
	<p>Filing Date</p> <p>June 27, 2000</p>	<p>TC/A.U.</p> <p>1651</p>	

U.S. PATENT DOCUMENTS								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	

[illegible]

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

[illegible]

*Examiner	Date Considered		
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.			

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☒ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☒ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☒ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.